

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

THE LANCE AND LINDA NEIBAUER
JOINT TRUST, by and through LANCE
NEIBAUER, as trustee,

Plaintiff,

v.

MICHAEL J. KURGAN, an individual,

Defendant.

Case No. 6:14-cv-01192-MC

ORDER

MCSHANE, Judge:

In a December 16, 2014 order, the Court granted plaintiff Lance and Linda Neibauer Joint Trust's motion for summary judgment. Plaintiff was awarded \$13,896.39 on its breach of contract claim and \$46,730.36 on its intentional interference with contract claim. The opinion noted that the Trust was also entitled to costs and prejudgment and post-judgment interest. The court then issued a judgment in favor of plaintiff. *See* ECF No. 46.

The Trust now moves to amend or supplement that judgment. ECF No. 50. Defendant Michael J. Kurgan did not respond to the Trust's motion, and the time to do so is passed. The

Trust seeks costs of \$1,438.04, prejudgment interest of \$2,388.99, and post-judgment interest of \$.406 per day, beginning December 17, 2014 and compounded annually.

Costs are generally allowed to the prevailing party, in this case the Trust. Fed. R. Civ. P. 54(d)(1). The Trust includes a Bill of Costs, ECF No. 48, and a declaration in support, ECF No. 49. All of the requested costs are recoverable by the prevailing party. *See* 28 U.S.C. § 1920. The Trust is therefore awarded \$1,438.04 in costs. The Court agrees that the Trust is entitled to prejudgment interest of 9%. The Trust is awarded \$2,388.88 in prejudgment interest as identified on pages three and four of the motion. *See* ECF No. 50. The Court agrees that the Trust is entitled to post-judgment interest at .23 percent (of \$64,453.67) per annum, compounded annually. The Trust is therefore awarded \$148.24 annually, which equals \$.406 per day beginning December 17, 2014.

The Trust's motion, ECF No. 50, is GRANTED.

IT IS SO ORDERED.

DATED this 9th day of April, 2015.

A handwritten signature in black ink, appearing to read 'Michael McShane', written over a horizontal line.

Michael McShane
United States District Judge